IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 20086 of 2007(N)

PETITIONER:

C. SANTHOSHKUMAR, AGED 39 YEARS,
S/O. LATE SRI.CHELLAPPAN NADAR, RESIDING AT
TC.11/1863, MULLASSERI LANE, NANTHENCODE,
KOWDIAR P.O.

BY ADV. SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS
SRI.L.RAM MOHAN

RESPONDENTS:

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1. CORPORATION OF TRIVANDRUM,
REPRESENTED BY ITS SECRETARY.

2. SRI.JOHNSON K.GEORGE,
SECRETARY, CORPORATION OF TRIVANDRUM.

BY ADV. SRI.N.NANDAKUMARA MENON,SC,TVM CORPN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/07/2007, THE COURT ON 27/07/2007 DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	PHOTOGRAPHS EVIDENCING THE CONDUCT OF THE SHOP BUILDING WHEREIN THE KHADI STORE BY NAME PREETHA KHADER STORE AND SOBHA COMMUNICATIONS WAS CONDUCTED.
EXT.P2	COPY OF THE CERTIFICATE ISSUED BY TRIDA CERTIFYING THAT THE PETITIONER HAS SURRENDERED 0.10 ACRES OF LAND FREE OF COST FOR ROAD WIDENING
EXT.P3	COPY OF THE CASE SUMMARY AND DISCHARGE CARD ISSUED FROM THE SREE CHITHIRA TIRUNAL INSTITUTE FOR MEDICAL SCIENCES AND TECHNOLOGY, TRIVANDRUM
EXT.P4	COPY OF THE EXEMPTION GRANTED BY THE GOVERNMENT
EXT.P5	COPY OF THE PERMIT ISSUED BY FIRST RESPONDENT.
EXT.P5(A)	COPY OF THE APPROVED PLAN ISSUED BY R1
EXT.P6	COPY OF THE CONSENT LETTER ISSUED BY RAMAKRISHNAN
EXT.P6(A)	COPY OF THE CONSENT LETTER ISSUED BY THOMAS CLEOPHUS
EXT.P7	COPY OF THE PROPERTY TAX,ASSESSMENT ORDER AND THE RECEIPTS EVIDENCING THE PAYMENT OF PROPERTY TAX FOR THE GROUND FLOOR.
EXT.P7(A)	COPY OF THE PROPERTY TAX, ASSESSMENT AND THE RECEIPTS EVIDENCING THE PAYMENT OF PROPERTY TAX RESPECTIVELY FOR THE FIRST FLOOR
EXT.P7(B)	COPY OF THE PROPERTY TAX, ASSESSMENT AND THE RECEIPTS EVIDENCING THE PAYMENT OF PROPERTY TAX RESPECTIVELY FOR THE SECOND FLOOR.
EXT.P7(C)	COPY OF THE PROPERTY TAX, ASSESSMENT AND THE RECEIPTS EVIDENCING THE PAYMENT OF PROPERTY TAX
EXT.P8	COPY OF THE COMPLAINT SUBMITTED BY THE NEARBY LODGE.
EXT.P9	COPY OF THE NOTICE DTD. 19-2-07 UNDER SECTION 408(1) OF THE KERALA MUNICIPALITY ACT, 1994
EXT.P10	COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER.
EXT.P11	COPY OF THE RECEIPT DTD. 15-3-07
EXT.P12	COPY OF THE NOTICE 19-06-2007
EXT.P12(A)	COPY OF THE OBJECTIONS SUBMITTED BY THE PETITIONER TO THE SECTION CLERK.

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No.20086 OF 2007

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Dated this the 27th day of July, 2007

JUDGMENT

Petitioner challenges Ext.P9 and seeks a direction to respondents to grant reasonable and sufficient time with clear working days period provided in the interregnum to the petitioner to invoke the appellate remedy before the statutory authority pursuant to any adverse orders being passed against him on Ext.P9 and P10.

2. Ext.P9 is a provisional order to which petitioner has submitted Ext.P10 explanation. Learned counsel for the respondents ofcourse submits that Ext.P9 is only a provisional order and final order is yet to be passed. Then, learned counsel for the petitioner points out that petitioner may be granted relief No.2.

Having heard learned counsel for the parties, the writ petition is disposed of as follows:

If the final order which is yet to be passed is adverse to the petitioner, it shall not be implemented for a period of three working days from the date of the communication of the order.

(K.M.JOSEPH, JUDGE)

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